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Response under 37 C.F.R. 1.116
Expedited Procedure Requested
Examining Group. 3738
Attorney Docket No. P24072

In re application of: Shigenobu SATO et al.

Application No. : 10/642,756

Group Art Unit: 3738

Filed : August 19, 2003

Examiner: Alvin J. STEWART

For : INTERVERTEBRAL SPACER

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Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

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BOX AF

Sir:

Transmitted herewith is a **Response under 37 C.F.R. 1.116** in the above-captioned application.

☒ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☐ A Request for Extension of Time.

☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 6	*20	6	x25=	\$0.00	x 50=	\$
Indep. Claims: 1	**3	1	x100=	\$0.00	x200=	\$
Multiple Dependent Claims Presented			+180=	\$0.00	+360=	\$
Extension Fees for ____ Month(s)				\$0.00		\$
Total:				\$0.00	Total:	\$

* If less than 20, write 20

** If less than 3, write 3

☐ Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.

☐ A check in the amount of \$ ____ to cover the filing/extension fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

Linda J. Hodge
Linda J. Hodge
Reg. #47,348
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Shigenobu SATO et al.

Group Art Unit: 3738

Appln. No. : 10/642,756

Examiner: Alvin J. STEWART

Filed : August 19, 2003

Confirmation No.: 3012

For : INTERVERTEBRAL SPACER

RESPONSE UNDER 37 C.F.R. § 1.116

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In response to the Official Action dated March 7, 2006, setting forth a three-month shortened statutory period for response to expire on June 7, 2006, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection in view of the herein contained amendments and remarks.

Amendments to the Claims begin on page 2 of this Response.
Remarks begin on page 5 of this Response.